

STATE OF NEW MEXICO

Plaintiff

VS.

ROMAN ARAGON, et al.,

Defendants.

No. 8294
Sub-file No. 316
Chili Ditch
(Tr. 16.4)

THIS MATTER having come before the Court and after having heard the testimony, considered the evidence, and being fully advised in the premises, now finds:

1. Name of defendant: JOSE BENITO MAESTAS
2. The parties hereto have accepted an Offer of Judgment concerning the defendant's rights; said Offer of Judgment is hereby approved.
3. The Court has jurisdiction of the parties and the subject matter herein.
4. State Engineer's hydrographic survey and report relating to the defendant's water rights have been introduced into the record and the same hereby are incorporated and made a part of this Order; that said hydrographic survey and report contain a true and correct summary of the contents of the instruments referred to therein.

JOSE BENITO MAESTAS

5. The defendant
has a right to withdraw public, surface and/or
underground waters from the Rio Chama Stream
System for irrigation purposes as follows:

State Engineer's File No. 1498
Priority: May 5, 1937
Source of water: Surface waters of the Rio Chama
Point of Diversion: Through and by means of the Chili
Ditch diverted out of the South Bank of the Rio Chama,
located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, Township 22 North,
Range 7 East, N.M. .M., New Mexico Coordinate System
Central Zone: X = 529,195 and Y = 1,863,370, Rio Arriba
County, New Mexico.

Location & Amount of Acreage: 3.35 acres irrigated
in Section 25, Township 22 North, Range 7 East, N.M.P.M.,
Rio Arriba County, New Mexico, as shown on hydrographic
survey map sheet 16, tract 4.

Duty of water: Not to exceed three acre feet per
acre per annum delivered at the farm
head gate.

The defendant Jose Benito Maestas
has no other surface/ground water irrigation rights
in the aforesaid section.

That the defendant Jose Benito Maestas
his agents, employees, privies, co-tenants, tenants,
assigns, attorneys, and any and all other persons having
a constructive knowledge of the restraining Order should
be enjoined from any use of the surface/ground water

in the aforesaid section
for irrigation, except in strict accordance with the
water rights set out hereinabove.

IT IS, THEREFORE, ORDERED that the defendant, _____

Jose Benito Maestas
be and hereby is adjudicated to have a good and valid water
right as set forth above.

IT IS FURTHER ORDERED that the defendant _____

Jose Benito Maestas
his agents, employees, privies, co-tenants, tenants, assigns,
attorneys, and any and all other persons having constructive
knowledge of the restraining order, be and they hereby are,
enjoined from any use of the surface/ground water in

the aforesaid section

except in strict accordance with the water rights set out
hereinabove.

DATED, this 3rd day of April, 1963.

Order
April 3, 1963
Frank M. Montoya
By: [Signature]
DISTRICT JUDGE
Sub. File No. 316
-3-